

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Danisco Cultor America, Inc.

U.S. Serial No.

09/845,233

Filing Date:

April 30, 2001

For:

Method for the Direct  
Esterification of Sorbitol With  
Fatty Acids

Group Art Unit:

1761

Examiner:

Sarah Louise Kuhns

Attorney Docket No.:

DANI-0005USCON

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(e)(1)**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.56 and 1.97(e), Applicant brings to the Attention of the Examiner the documents listed on the attached Substitute Form PTO 1449. No fee is believed to be due in connection with this submission. However, if any fee is due, the Commissioner is authorized to charge Deposit Account No. 50-0462. Moreover, please credit any overpayment to Deposit Account No. 50-0462.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I certify that this document, along with any document referred to as being attached, is being deposited with the U.S. Postal Service on \_\_\_\_\_ as first class mail under 37 C.F.R. §1.8 and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Carla P. McGuffie  
Name of person signing document

Carla P. McGuffie  
Signature of person signing document

**Certification Under 37 CFR 1.97(e)(1)**

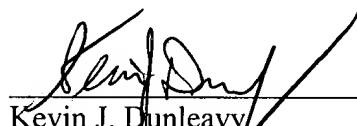
The references cited in this Information Disclosure Statement were cited in the European Search Report from a counterpart foreign application dated December 2, 2004.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached PTO-1449 form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art". If the Examiner applies any of the documents as prior art against any claims in the applicant and Applicant determined that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such documents. Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Respectfully submitted,

Date: 1/27/2005

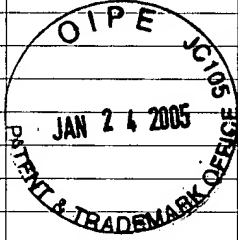
  
\_\_\_\_\_  
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FORM PTO-1449 Modified  
Documents Cited by Applicant

U.S. App. No.: 09/845,233  
Filed: April 30, 2001  
Group: 1761  
Appl: Danisco America, Inc.  
Docket No.: DANI05USCON

Examiner Initial	Item No.	Document No.	Date	Name	Class	Subclass
	1US	3,951,945	April 20, 1976	Kuipers Pieter Koenraad et al.		
	2US	4,562,007	December 31, 1985	Stuehler Herbert		
	3US					
	4US					
	5US					
	6US					
	7US					
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	10US					
	11US					
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Examiner Initial	Item No.	Foreign Patent Document No.	Date	Country	Translation (Yes/No)
	1F	EP 0 757 031	February 5, 1997	Europe	Yes
	2F				
	3F				
	4F				
	5F				
	6F				
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	8F				
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EXAMINER:

DATE CONSIDERED:

FORM PTO-1449 Modified

Filed: April 30, 2001

List of Patents and Publications Cited by Applicant

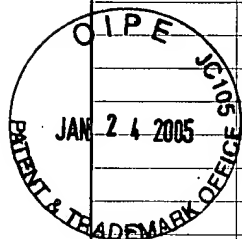
Group: 1761

U.S. Patent Trademark Office

Appl: Danisco America, Inc.

Docket No.: DANI05USCON

Examiner Initial	Item No.	Other Documents (Including Author, Title, Date, Location and Pertinent Pages)
		Giacometti et al. "Process for Preparing Nonionic Surfactant Sorbitan Fatty Acid Esters with and without Previous Sorbitol Cyclization" J. Agric. Food. Chem., vol. 44, 1996, pages 3950-3954, XP002278710, Section "Preparation of Esters"
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	430D	
	440D	
	450D	
	460D	



EXAMINER:

DATE CONSIDERED: